



January 25, 2002

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## HOUSE BILL No. 1095

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DIGEST OF HB 1095 (Updated January 23, 2002 7:22 PM - DI 47)

**Citations Affected:** IC 5-11.

**Synopsis:** Soil and water conservation district examinations. Specifies that soil and water conservation districts shall be charged \$45 per day per examiner for examinations by the state board of accounts. Under current law, the districts pay the actual costs of the examinations.

**Effective:** July 1, 2002.

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**Friend, Lytle, Grubb, Mangus**

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January 8, 2002, read first time and referred to Committee on Rules and Legislative Procedures.

January 14, 2002, reassigned to Committee on Agriculture, Natural Resources and Rural Development.

January 24, 2002, amended, reported — Do Pass.

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HB 1095—LS 6766/DI 77+



January 25, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## HOUSE BILL No. 1095

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 5-11-4-3, AS AMENDED BY P.L.291-2001,
- 2 SECTION 168, IS AMENDED TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2002]: Sec. 3. (a) The expense of examination
- 4 and investigation of accounts shall be paid by each municipality or
- 5 entity as provided in this chapter.
- 6 (b) The state examiner shall not certify more often than monthly to
- 7 the auditor of each county the amount chargeable to each taxing unit
- 8 within the county for the expense of its examinations as provided in
- 9 this chapter. Immediately upon receipt of the certified statement, the
- 10 county auditor shall issue a warrant on the county treasurer payable to
- 11 the treasurer of state out of the general fund of the county for the
- 12 amount stated in the certificate. The county auditor shall reimburse the
- 13 county general fund, except for the expense of examination and
- 14 investigation of county offices, out of the money due the taxing units
- 15 at the next semiannual settlement of the collection of taxes.
- 16 (c) If the county to which a claim is made is not in possession or has
- 17 not collected the funds due or to be due to any examined municipality,

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then the certificate must be filed with and the warrant shall be drawn by the officer of the municipality having authority to draw warrants upon its funds. The municipality shall pay the warrant immediately. The money, when received by the treasurer of state, shall be deposited in the state general fund.

(d) Except as otherwise provided in this chapter, each:

(1) taxing unit; **and**

(2) **soil and water conservation district;**

shall be charged at the rate of forty-five dollars (\$45) per day for each field examiner, private examiner, expert, or employee of the state board of accounts who is engaged in making examinations or investigations. Except as provided in subsection (h), all **other** entities shall be charged the actual cost of performing the examination or investigation.

(e) The state examiner shall certify, not more often than monthly, to the proper disbursing officer the total amount of expense incurred for the examination of:

(1) any unit of state government or entity that is required by law to bear the costs of its own examination and operating expense; or

(2) any utility owned or operated by any municipality or any department of the municipality, if the utility is operated from revenues or receipts other than taxation.

Upon receipt of the state examiner's certificate the unit of state government, entity, or utility shall immediately pay to the treasurer of state the amount charged. The money, when received by the treasurer of state, shall be deposited in the state general fund.

(f) In addition to other charges provided in this chapter, the state examiner may charge a reasonable fee for typing and processing reports of examination in the same manner as other charges are made under this chapter.

(g) There is created a trust and agency fund in the hands of the state examiner to be used by him for the payment of the expense of typing reports of examination. Fees charged for typing reports of examination shall be deposited into the trust and agency fund.

(h) A municipality that contracts for services with a volunteer fire department may pay the cost of an examination or investigation of the volunteer fire department under this chapter.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1095, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1095 as introduced.)

LYTLE, Chair

Committee Vote: yeas 11, nays 0.

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